

## **Santa Rosa Plain Groundwater Management Planning**

# **Basin Advisory Panel**

## **Charter**

(Originally approved Jan 12, 2012)

v4: Revised 11/8/2012)

### **Purpose and Goals**

The purpose of the Basin Advisory Panel is to develop a Groundwater Management Plan for the Santa Rosa Plain. The Panel will recommend the plan that implementing organizations adopt the plan. To this end, the goals of the group are to:

- Work collaboratively with other Panel members who represent groundwater users and interests from throughout the entire Santa Rosa Plain watershed.
- Develop common understanding on current and future water needs and resources in the Santa Rosa Plain.
- Support development of basin management objectives to protect resources in a sustainable manner, ensure local control, address current and future local water needs, and support the economy and environment.
- Negotiate in good faith to achieve consensus on how Santa Rosa Plain groundwater will be managed into the future.

### **Membership**

The Basin Advisory Panel consists of members that represent the following interest groups:

- Groundwater users: businesses, agriculture and residential
- Economic interests
- Local government
- Water providers
- Environmental and community organizations

Members live throughout the Laguna de Santa Rosa watershed or work in agencies that have jurisdiction in the Santa Rosa Plain.

Additional stakeholders may join the Basin Advisory Panel after its initial formation with the concurrence of other Panel members using its decision-making process. If an interest group is already represented, interested stakeholders will be encouraged to participate by communicating with existing Panel members to represent his or her interests. Member organizations may change their individual representatives if necessary by notifying the project manager or facilitator.

## **Stakeholder Structure**

The primary decision-making body is the Basin Advisory Panel. The Panel will guide development of the Groundwater Management Plan with assistance from a technical consultant, facilitator, and project manager.

## **Roles and Responsibilities**

### **Basin Advisory Panel**

The Basin Advisory Panel will work in partnership with the Sonoma County Water Agency and its cooperating partners to develop a non-regulatory groundwater management plan. The Basin Advisory Panel will guide development of the plan, which the technical consultants will write. The panel has a collaborative governance structure: agencies with jurisdiction within the Santa Rosa Plain will join community organizations, business associations, and individuals to develop the Groundwater Management Plan. After approving the completed Groundwater Management Plan, the Panel will recommend the plan for adoption by the boards of implementing organizations.

As part of membership, **Panel members** agree to:

- Arrive at each meeting fully prepared to discuss the issues on the agenda. Preparation would include reviewing meeting summaries, technical information, and draft documents distributed in advance of each meeting.
- Present their constituent members' views on the issues being discussed and be willing to engage in respectful, constructive dialogue with other members of the working group.
- Develop a problem-solving approach in which they consider the interests and viewpoints of all group members, in addition to their own.
- Keep their constituencies informed about the deliberations and actively seek their constituents' input.

### **Convener**

The Sonoma County Water Agency is convening the Basin Advisory Panel. The convener will sponsor Panel meetings, garner necessary funding to complete the groundwater management plan, and provide in-kind staff support to manage the project. In addition, the convener has signed a Memorandum of Understanding with the California Department of Water Resources to secure facilitation services with the Center for Collaborative Policy and entered into a contract with the technical consultant Parker Groundwater to write the plan and perform technical analyses.

### **Lead Agency**

The Panel will select a *lead agency* as required by Assembly Bill 3030 for developing non-regulatory groundwater management plans. The lead agency will also coordinate, as appropriate, with the cooperating funders, over the

life of the project to ensure continued support and involvement in developing the Groundwater Management Plan.

### **Cooperating Funders**

The Sonoma County Water Agency has formed a cooperative partnership with the Cities of Santa Rosa, Cotati, Rohnert Park and Sebastopol, the Town of Windsor, Cal American Water Company, and the County of Sonoma for the cooperative funding agreement to support developing the Santa Rosa Plain Groundwater Management Plan. The cooperating funders will provide in-kind staff participation in the Basin Advisory Panel. Once approved by the Panel, the cooperating funders will consider adopting the Groundwater Management Plan.

### **Technical Advisory Committee or Other Subcommittees**

The Basin Advisory Panel will form a Technical Advisory Committee and can form other subcommittees or work groups to assist with its work of developing the groundwater management plan. Subcommittee composition should be representative of diverse groundwater interests. Members of the subcommittee or work group need not be members of the Basin Advisory Panel. The subcommittees would develop recommendations or proposals for the full stakeholder group's consideration.

### **Project Manager**

The Sonoma County Water Agency will provide a project manager for the Basin Advisory Panel and groundwater management plan. The project manager will interface with the technical consultant and facilitator to ensure that meetings are efficient and work is completed in a timely fashion. The project manager will ensure quality control of the plan and assist in making sure that the plan reflects stakeholder agreement. S/he will also work with stakeholders to negotiate agreements to be included in the plan. Finally, the project manager will facilitate public and media outreach for the Basin Advisory Panel. The current project manager is Marcus Trotta. The Sonoma County Water Agency has the discretion to change project managers.

### **Technical Consultant**

The technical consultant has a contract with the Sonoma County Water Agency to write the groundwater management plan and perform related technical analyses. The technical consultant will attend Basin Advisory Panel meetings, present information necessary for Panel members to be able to contribute to the plan, and strive to balance stakeholder input with sound technical judgment.

### **Facilitator**

In cooperation with all stakeholders, the facilitator from the Center for Collaborative Policy will design Panel meetings and guide the overall process

toward achieving its mutually agreed-upon purpose and goals. The facilitator will:

- Formulate the agenda and desired outcomes for all meetings based on input of stakeholders and facilitate those proceedings.
- Identify and synthesize points of agreement and disagreement for written meeting summaries.
- Assist in building consensus among members.
- Ensure compliance with all ground rules.
- Serve as a confidential communication channel for members, alternates, and observers who wish to express views privately because they do not feel comfortable doing so in front of the large group.
- Advocate for a fair, effective, and credible process, but remain impartial with respect to the outcome of the deliberations.

### **California Department of Water Resources**

The Department of Water Resources is available to provide technical assistance and support, but will not participate in the decision making process on the groundwater management plan.

### **Work Plan Overview**

The Basin Advisory Panel will work for 18-24 months to develop the groundwater management plan. The key tasks for the panel are listed below.

<b>Timeframe</b>	<b>Basin Advisory Panel Key Tasks</b>
Dec 2011— June 2012	Collaborative Governance and Group Charter Santa Rosa Plain Groundwater Technical Information Sharing Issue Identification Groundwater Management Goals and Basin Management Objectives
April 2012— February 2013	Communication & Outreach Plan Finalize Basin Management Objectives Monitoring and Data Collection Protocols
January 2013— November 2013	Briefing Materials Management Components Implementation Plan
November 2013	Final Groundwater Management Plan

## **Meeting Schedule**

The Panel agrees to hold meetings on the **second Thursday** of each month and to meet occasionally at other times for workshops. Periodically, the Panel may need to hold a special meeting or change the date should the need arise.

## **Attendance**

Given the volume of information to be considered, regular attendance by the member or his/her designated representative is essential. Designees must be identified in advance, fully briefed and able to represent the member during decision making.

## **Annual Active Membership Review**

The Panel will review its membership at the end of each calendar year to ensure active participation and appropriate composition, revising the Basin Advisory Panel membership list as appropriate.

**Active Membership** means regular attendance at Panel meetings; regular review of materials discussed and considered by the Panel; regular briefing of constituents on groundwater planning activities; and feedback provided to the Panel based on conversations with constituents. Members who miss more than three meetings during the year will be deemed “inactive” and will not be consulted in their absence when Panel decisions are finalized. If there is a question as to whether a member should be considered “active” for purposes of decision-making, the Panel will make that determination. Exceptions may be considered if members cannot attend meetings due to illness or personal matters.

**New Members:** If either scenario results in consistent lack of participation, the Panel will determine whether replacement membership is needed and will help find a replacement that can regularly attend Panel meetings to represent the interest group. The Panel will consider the following criteria for determining new membership:

- Ensure balanced representation of interest groups and geographic areas in the Laguna de Santa Rosa Watershed
- Minimize gaps in technical expertise or professional experience
- Maintain manageable group size and composition for effective and efficient deliberations and decision making

## **Communication**

### **Media and External Parties**

Members are asked to speak only for their organization or themselves when asked by external parties, including the media, about the Basin Advisory Panel’s progress, unless there has been a formal adoption of a statement, concepts, or recommendations by the Basin Advisory Panel.

In the absence of Basin Advisory Panel agreed upon statement, concepts or recommendations on an issue(s), Panel members shall say:

*My comments only reflect me as an individual, not the Basin Advisory Panel's and should be reported as such. My views do not represent the Basin Advisory Panel.*

Stakeholders can express their own opinions to media representatives and will refer media representatives directly to other Panel members rather than attempting to speak on anyone's behalf. Participants should be careful to present only their own views and not those of other participants of the stakeholder group. The temptation to discuss someone else's statements or position should be avoided.

### **Constituents and Decision Makers**

Members are asked to keep constituents, including organizational staff and members, boards and directors, and elected officials, informed about the process and to bring constituent's views into the discussion. Members are strongly encouraged to provide or arrange presentations about the Panel's work wherever feasible to increase awareness. Staff will also be available to provide presentations of the Panel's work at meetings, conferences or other venues.

### **Meeting Summaries**

The project manager and facilitator will provide meetings summaries following each Basin Advisory Panel meeting.

### **Public Engagement and Outreach**

All Basin Advisory Panel meetings will be open to the public, and the public is welcome to participate in Panel conversations. The facilitator may limit public comment to a designated public comment period if necessary to assure the Panel can complete its work in a timely fashion.

Early in the process, the Panel will oversee development of a public outreach plan which will guide activities related to public engagement and outreach.

### **Basin Advisory Panel Decision-Making**

- 1) Consensus as the Fundamental Principle:** The Panel shall strive for consensus (agreement among all participants) in all of its decision-making. Working toward consensus is a fundamental principle.
- 2) Definition of "Consensus":** Consensus means that all group members either fully support or can live with the decision or overall plan and believe that their constituents can as well. In reaching consensus, some

Panel members may strongly endorse a particular proposal while others may accept it as "workable." Others may be only able to "live with it." Still others may choose to "stand aside" by verbally noting a disagreement, yet allowing the group to reach a consensus without them. Any of these actions still constitutes consensus.

- 3) Less than 100% Consensus Decision Making:** The Panel is consensus seeking but shall not limit itself to strict consensus if 100% agreement among all participants cannot be reached after all interests and options have been thoroughly identified, explored, and discussed.

Less-than-consensus decision-making shall not be undertaken lightly. If the Basin Advisory Panel cannot come to 100% agreement, the Panel could set aside the issue while it continues to work on other issues and revisit the disagreement later in the process. The Panel could also form a subcommittee (with at least three interest groups) to develop a proposal for full group consideration. With support from the facilitator, the subcommittee would develop one or more proposals that attempt to address the interests of all the parties and present it to the Panel. The Panel would then do one of the following:

- Refine the proposal to reach consensus as defined above.
- Ask the subcommittee to keep working and report back to the Panel at a subsequent meeting.
- Vote to bring an issue to closure and move forward per the voting protocols below.

### **3a) Voting Protocols**

For voting, absentee members can vote by proxy via another member or by contacting the facilitator in advance of the meeting. The Panel currently has 32 members

*Step 1: Is the Panel ready to vote on this proposal?*

Any panel member or the facilitator can call a vote. If **75% or more of total Panel membership** votes yes (regardless of attendance at meeting that day) then the issue goes to Step 2. If the vote is not approved, the Panel must keep working on this issue or may choose to leave it out of the plan. If fewer than 75% of members are able to vote that day in person or by proxy, then the vote would be deferred to a subsequent meeting.

*Step 2: Does the Panel approve this proposal?*

If the Panel **approves the proposal with 75% of total Panel membership**, then the proposal moves forward. The facilitator will document the "minority opinion" in the meeting summary, and members who vote against the proposal can also submit comments to attach to the meeting summary. If the vote is not approved, the Panel

must keep working on the issue or may choose to leave it out of the plan. At the time of the vote, the Panel will announce a set period of time for the Step 2 vote to remain open for additional member voting (approximately 10 days) before finalizing the outcome.

- 4) **Decision Outcomes:** All reports and products of the Panel will reflect the outcome of stakeholder discussions. All agreements and negotiated outcomes will be reflected in the Groundwater Management Plan.

## **Working Together**

The Panel will use the following agreements to establish a productive protocol for meetings and may modify them as appropriate.

### **Process Agreements**

The Panel agrees to:

- Listen and openly discuss issues with others who hold diverse views.
- View disagreements as problems to be solved rather than battles to be won. When develop a solution, think about the interests of others.
- Identify proposals to resolve problems presented, and remain open to considering others' proposals.
- Refrain from ascribing motives or intentions to other participants.
- Respect the integrity and values of other participants.
- Address the issues and concerns of the participants.
- Stand by agreements made with the Basin Advisory Panel when speaking elsewhere.
- Negotiate in good faith. All participants agree to participate in decision making, to act in good faith in all aspects of this effort, and to communicate their interests in group meetings. Good faith also requires that parties not make commitments they do not intend to follow through with.
- Stand by agreements reached unless new information emerges or conditions change that require the Panel to reconsider.

The Panel need not consider proposals that are contrary to the group's purpose as stated in its charter.

Members can also **caucus** in their interest groups to ensure that the representatives fully understand the perspectives of interest group members and to test proposals and ideas under development and before bringing them to the full Panel.

### **Meeting Agreements**

During the meetings, the Panel agrees to:

### **Use Common Conversational Courtesy**



**All Ideas and Points of View Have Value**

All ideas have value in this setting. We are looking for innovative ideas. The goal is to achieve understanding. Simply listen, you do not have to agree. If you hear something you do not agree with or you think is "silly" or "wrong," please remember that the purpose of the forum is to share ideas.

**Be Honest, Fair, and as Candid as Possible**

Help others understand you and work to understand others.

**Avoid Editorials**

It will be tempting to analyze the motives of others or offer editorial comments. Please talk about YOUR ideas and thoughts. Avoid commenting on why you believe another participant thinks something.

**Efficiency**

People's time is precious; treat it with respect.

**Think Innovatively and Welcome New Ideas**

Creative thinking and problem solving are essential to success. "Climb out of the box" and attempt to think about the problem in a new way.

**Invite Humor and Good Will****Be Comfortable**

Please feel help yourself to refreshments or take personal breaks. If you have other needs please inform the facilitator.

**Approving the Groundwater Management Plan**

The Basin Advisory Panel will approve the Santa Rosa Groundwater Management Plan and recommend that the implementing organizations and agencies adopt the Plan. The Plan shall not go forward to the adopters until Panel members have approved the plan using its decision-making process outlined above.

**Amendments to this Charter**

The Basin Advisory Panel may use its decision-making procedure, identified above, to adopt changes to this Charter.